

ADDENDUM NO. ONE (1)

**SPRING MEADOW LAKE RECLAMATION PROJECT
LEWIS & CLARK COUNTY
DEQ Contract No. 410001**

Addendum Date: June 19, 2008

Bid Date and Time: July 9, 2009 at 2:00 PM

The construction specifications, drawings and bidding documents for the Spring Meadow Lake Reclamation Project, Lewis and Clark County are hereby modified and superseded by this Addendum.

1. Insert the following sentences between the second and third paragraphs of Bid Item 9:
Excavate, Screen, Haul and Dispose of Contaminated Material from State Park at a RCRA Subtitle D Class II Solid Waste Management Facility, page III-12 of Section III: Special Provisions:

The contaminated material is Bevill Exempt under 40 Code of Regulations (CFR), Section 261.4(b)(7) Exclusions and is not considered to be RCRA Subtitle C hazardous waste. The treated material can therefore be legally disposed at a RCRA Subtitle D Class II Solid Waste Management Facility.

40 CFR Section 261.4(b)(7) states:

"(b) Solid wastes which are not hazardous wastes. The following solid wastes are not hazardous wastes:

(7) Solid waste from the extraction, beneficiation, and processing of ores and minerals (including coal, phosphate rock, and overburden from the mining of uranium ore), except as provided by §266.112 of this chapter for facilities that burn or process hazardous waste."

2. Add the following sentences to the beginning of the fourth paragraph of Bid Item 11:
Excavate, Screen, Treat, Haul and Dispose of Contaminated Material from Wildlife Center at a RCRA Subtitle D Class II Solid Waste Management Facility, page III-12 of Section III: Special Provisions:

The contaminated material is Bevill Exempt under 40 Code of Regulations (CFR), Section 261.4(b)(7) Exclusions and is not considered to be RCRA Subtitle C hazardous waste. The treated material can therefore be legally disposed at a RCRA Subtitle D Class II Solid Waste Management Facility.

40 CFR Section 261.4(b)(7) states:

"(b) Solid wastes which are not hazardous wastes. The following solid wastes are not hazardous wastes:

(7) Solid waste from the extraction, beneficiation, and processing of ores and minerals (including coal, phosphate rock, and overburden from the mining of uranium ore), except as provided by §266.112 of this chapter for facilities that burn or process hazardous waste."

3. Delete the second sentence of the fourth paragraph of Bid Item 11: Excavate, Screen, Treat, Haul, and Dispose of Contaminated Material from Wildlife Center at a RCRA Subtitle D Class II Solid Waste Management Facility, page III-12 of Section III: Special Provisions which reads:

"Only after confirmation by Engineer that the treated material is not a characteristic hazardous waste will Contractor load the treated material into transport vehicles, cover, in accordance with MDT regulations, and haul to a RCRA Subtitle D Class II Solid Waste Management Facility for disposal."

And replace with:

"Only after confirmation by Engineer that the treated material does not fail the Toxicity Characteristic Leaching Procedure will Contractor load the treated material into transport vehicles, cover, in accordance with MDT regulations, and haul to a RCRA Subtitle D Class II Solid Waste Management Facility for disposal."

Issued by:

Montana Department of Environmental Quality


John Koerth
Mine Waste Cleanup Bureau

Bidder hereby acknowledges the receipt of Addendum No. One (1)

Received By: _____
(Name and Title)

(Bidder)

(Date)

END